

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA**

IN THE MATTER OF	)	Case No. BK 17-81127-TLS
	)	
EAT FIT GOT HEALTHY FOODS, LLC et al <sup>1</sup>	)	Chapter 11
	)	
Debtors.	)	

**MOTION FOR SHORTENED OBJECTION PERIOD**

COMES NOW Eat Fit Go Healthy Foods, LLC et al., debtors and debtors-in-possession ("Debtors") in the above captioned Chapter 11 bankruptcy case (the "Case"), pursuant to 11 U.S.C. §105, Fed. R. Bank. P. ("Rule"), 9006, and in support of its *Motion for Shortened Objection Period*, states and alleges as follows:

1. On July 31, 2018 (the "Petition Date") Debtors filed 10 separate voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in this Court (the "Related Cases") in the United States Bankruptcy Court for the District of Nebraska (the "Bankruptcy Court").
2. The Related Cases were administratively consolidated into BK 17-81127-TLS.
3. Each Debtor remains in possession of its assets and continues to operate as debtor-in-possession in accordance with 11 U.S.C. §§ 1107 and 1108.
4. An Official Committee of Unsecured Creditors has not yet been appointed in any of the Related Cases.
5. This is a core proceeding pursuant to 28 U.S.C. §157(2)(A).
6. This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334.
7. Venue is proper in this Court pursuant to 28 U.S.C. §1408.

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<sup>1</sup> Debtors in this case include: Eat Fit Go Omaha Kitchen, LLC, Eat Fit Go Kansas City Kitchen, LLC, Eat Fit Go Georgia Kitchen, LLC, Eat Fit Go Arizona Kitchen, LLC, Eat Fit Go Healthy Foods - Des Moines, LLC, Eat Fit Go Healthy Foods - Kansas City, LLC, EFG Shared Services, LLC (No Rev), Eat Fit Go Healthy Foods - Omaha, LLC, and Eat Fit Go Healthy Foods - Minnesota, LLC.

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8. Debtors seek approval for the sale of commercial kitchen equipment owned by Debtor Eat Fit Go Georgia Kitchen, LLC ("Georgia Kitchen") pursuant to a sale motion to be filed contemporaneously herewith. Debtors previously operated in the State of Georgia, but have since shuttered those operations. By motion filed August 2, 2018, Debtors sought and ultimately obtained permission to reject certain unexpired leases and executory contracts tied to the Georgia operations.

9. Pursuant to Debtors prior operations in Georgia, the Georgia Kitchen prepared and distributed meals to the area franchisees through a leased commercial kitchen location. As a result, the Georgia Kitchen is the owner a wide array of unutilized commercial kitchen equipment. This equipment is now unnecessary.

10. The Georgia Kitchen is an entity organized under the laws of Nebraska. On August 9, 2018, Debtors caused a UCC search of the Nebraska Secretary of State's central filing office in the name of Eat Fit Go Georgia Kitchen, LLC. The search results produced no UCC-1 financing statements on file in Nebraska for the Georgia Kitchen. On information and belief, the Assets are free of any recorded security interest.

11. Debtors have concluded that the best mechanism for maximizing the value to the Georgia Kitchen estate is through the sale of this unused equipment pursuant to 11 U.S.C. §363(b) by way of public auction.

12. To assist Debtors with the sale, Debtors have engaged Bell Auctioneers of Conyers, Georgia, an experienced auctioneer of food service equipment, to hold a public auction on **September 11, 2018**.

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13. In order that the contemplated sale occur as scheduled, Debtors seek an order from this Court shortening the resistance deadline to the sale motion to be filed contemporaneously herewith to 14 days.

14. Nothing contained in this motion or any actions taken by the Debtors pursuant to relief granted in the Order is intended or should be construed as a waiver or limitation of the Debtors' rights under the Bankruptcy Code or any other applicable law.

WHEREFORE, Eat Fit Go Healthy Foods, LLC et al., debtors and debtors-in-possession in the above captioned Bankruptcy Case, respectfully prays this Court enter an order: (1) granting this Motion in full; (2) shortening the resistance deadline to the sale motion to be filed contemporaneously herewith to 14 days; and (3) granting any other relief at equity or law this Court deems necessary.

Respectfully submitted this 13<sup>th</sup> day of August, 2018.

**EAT FIT GOT HEALTHY FOODS, LLC,  
Debtors**

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